

FEDERAL COURT BLOCKS WASHINGTON STATE LAW TARGETING CONFESSION CONFIDENTIALITY

Seattle, Washington, July 22, 2025

Photo: obitel-minsk.com

A federal court delivered a significant victory to Orthodox and Catholic churches Friday, temporarily blocking a Washington state law that would have criminalized priests for maintaining the sacred confidentiality of the Sacrament of Confession, reports ncronline.org.

U.S. District Judge David Estudillo granted a preliminary injunction against the law, which was scheduled to take effect in nine days and would have forced priests to choose between violating their religious obligations or facing up to 364 days in jail and \$5,000 in fines.

The relevant legislation, signed on May 2, is being [contested](#) by four major Orthodox Christian jurisdictions: the Orthodox Church in America, the Antiochian Orthodox Christian Archdiocese of North America, the Romanian Orthodox Metropolis of the Americas, and the Western American Diocese of the Russian Orthodox Church Outside of Russia. Fr. Timothy Wilkinson, a priest at St. Luke Orthodox Christian Church in Chattaroy, Washington, joined as an individual plaintiff.

Judge Estudillo found that Washington state likely engaged in religious discrimination by targeting clergy while allowing other professionals to maintain confidential communications. Under the challenged law, attorneys could still claim attorney-client privilege when refusing to report admissions of child sex crimes, while priests faced criminal penalties for upholding confession confidentiality.

“Ultimately, Washington’s failure to demonstrate why it has an interest of the highest order in denying an exemption to clergy while making such exemptions available to other professionals,” Estudillo ruled, is likely fatal to the new law.

The Orthodox jurisdictions emphasized in their legal complaint that maintaining confession confidentiality is a fundamental religious duty. According to the Orthodox Church in America’s Guidelines for Clergy cited in the case, “The secrecy of the Mystery of Penance, even under strong constraining influence, is considered an unquestionable rule in the entire Orthodox Church.”

Orthodox priests who violate Confession confidentiality face severe canonical punishment, including suspension or defrocking.

The Orthodox churches stressed they don't object to reporting child abuse concerns based on information learned outside of confession, noting that priests are already required under their bishops' policies to make such reports for information obtained outside the confessional.

The Washington law also faced challenges from Catholic dioceses in the state and is under investigation by the U.S. Justice Department, which described the legislation as "anti-Catholic."

Mark Rienzi, president and CEO of the Becket Fund for Religious Liberty, which represented Catholic interests in related litigation, said the court's ruling proves that "government officials have no business prying into the confessional."

All 50 states, including Washington, have traditionally honored the clergy-penitent privilege as part of common law tradition.

The preliminary injunction prevents the law from taking effect while the underlying constitutional challenge proceeds through federal court.

Follow OrthoChristian on [Twitter](#), [Vkontakte](#), [Telegram](#), [WhatsApp](#), [MeWe](#), and [Gab](#)!

7/22/2025